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placing a second patient on the housing and wrapping the belt at least partially around the chest of the second patient; and

rotating the drive spool to tighten the second belt about the chest of the patient.

Remarks

Claims 1 through 14, 16 through 19 and 21 through 24 remain pending in the application.

The Examiner has provisionally rejected claims 1 through 6, 9 through 12, 14 through 17, 20, 22 and 23 under the judicially created doctrine of nonstatutory obviousness type double patenting. Claims 15 and 20 are cancelled thus the rejection with respect to them is moot. Upon receipt of a notice of allowance for any of claims 1 through 6, 9 through 12, 14, 16, 17, 22 and 23, appropriate terminal disclaimers for co-pending patent application numbers 10/686,549, 10/686,185, 10/686,188 and 10/686,184 will be filed to obviate this provisional rejection.

Claims 1 through 6 and 14 stand rejected under 35 U.S.C. § 103 as obvious over Sherman, Modular CPR Assist Device, U.S. Patent 6,066,106 (May 23, 2000) in view of Dragan, Device for Securing Ribbons to Spools, U.S. Patent 3,802,638 (Apr. 9, 1974) under the assertion that Sherman teaches a slot for mounting the belt to the spool and that Dragan teaches an obvious equivalent alternative was of mounting the belt to the spool. The Examiner further asserts it would have been obvious to one of ordinary skill in the art to modify Sherman to use the spline and slot arrangement as taught by Dragan.

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The belt of Sherman engages a high torque drive mechanism at the center of the belt "The spool takes up the midpoint of the belt to drive the compression cycles." (Col. 5, ll. 31-33). The apparatus of Dragan is a spool for securing the end of a ribbon to a low torque drive mechanism for a print apparatus. (Col. 3, ll. 42-45, and Fig. 11). There is no motivation for a high torque system engaging the midpoint of a belt such as Sherman to look to a low torque apparatus that engages the end of a ribbon for solutions. Dragan is specifically arranged to handle light loads applied on the end of a printer ribbon. Application of high torque load to the middle of a belt apply large forces in opposite directions, something Dragan is ill-equipped for. Sherman slips half the belt through the drive shaft and doubles the belt along itself for use. The apparatus of Dragan attaches only one end of a ribbon to a drive mechanism. There is no clear motivation for a practitioner of Sherman to look to Dragan for any help.

Claims 9 through 12 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sherman, in view of Dragan, and further in view of Morgan et al. Interactive Portable Defibrillator Including ECG Detection Circuit, U.S. Patent 4,619,265 (Oct. 28, 1986). As addressed above, the rejection regarding Sherman and Dragan is unsupportable. The addition of Morgan cannot provide the missing incentive to combine and thus this rejection must also fail.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being unpatentable over Bystrom et al., Resuscitation and Alert System, U.S. Patent 6,090,056 (Jul. 18, 2000). Claim 15 is cancelled and thus this rejection is moot.

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Claims 16, 17, 22 and 23 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Bystrom et al. in view of Dragan. As discussed above with regard to the combination of Sherman and Dragan, there is not motivation for a high torque system engaging the midpoint of a belt to look to a low torque apparatus that engages the end of a ribbon for solutions. Neither Bystrom or Dragan provide incentive to combine the references.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Bystrom et al. in view of Morgan et al. Claim 20 is cancelled and thus this rejection is moot.

Conclusion

This response has addressed all of the Examiner's grounds for rejection. The rejections based on prior art have been traversed. Reconsideration of the rejections and allowance of the claims is requested.

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By:


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